

OCT 14 2004

C O V E R

FAX

S H E E T

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TO: Fred G. Prince  
United States Patent and Trademark Office

FAX: (703) 872-9306

FROM: Scott R. Cox, Reg. No. 31,945

DATE: October 14, 2004

No. Pages (including cover): 19

Operator: Holly

Re: Applicant: Hogl, Maximilian  
U.S. Serial No. 10/613,661  
Filed: July 7, 2003  
Title: PROCESS FOR TREATING INDUSTRIAL AND MUNICIPAL  
WASTE WATER HIGHLY LOADED WITH AMMONIUM  
Confirmation No. 7270 Group Art No. 1724  
Attorney Docket: P-986A

Attached is an Amendment which was filed on May 12, 2004,  
pursuant to our telephone discussion earlier today.  
I also enclose a copy of the file stamped post card I received  
from the USPTO concerning this Amendment.

If you should have any questions concerning this fax,  
please contact me.

*Scott R. Cox, Attorney*

THE INFORMATION CONTAINED IN THIS FAX IS ATTORNEY/CLIENT PRIVILEGED AND CONFIDENTIAL,  
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TO US AT OUR EXPENSE.

Client: \_\_\_\_\_

Client #: 49861

**LYNCH; COX, GILMAN & MAHAN PSC**  
 SPECIAL ACCOUNT  
 400 W. MARKET ST., SUITE 2200  
 LOUISVILLE, KY 40202

PNC BANK, KENTUCKY, INC.  
 LOUISVILLE, KY 050

76422

21-10/830 21  
 3095423244

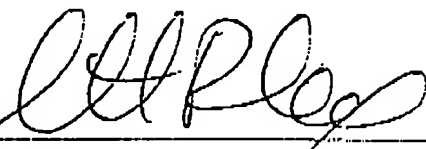
DATE May 12, 2004PAY One Hundred Ten Dollars and 00/100\*\*DOLLARS \$ 110.00\*\*

THIS DOCUMENT HAS A MICROPRINT SIGNATURE LINE, WATERMARK AND A THERMOCHROMIC INK. ABSENCE OF THESE FEATURES WILL INDICATE A COPY

10  
 10/10/04  
 10/10/04

TO  
 THE  
 ORDER  
 OF

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



49681/hmh

⑈076422⑈ ⑆083000108⑆ 3095423244⑈

LYNCH, COX, GILMAN &amp; MAHAN PSC

DETACH AND RETAIN THIS STATEMENT  
 THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

49681 SCAG P-986A

Fee for filing Terminal Disclaimer \$110.00 --

In re appl of: Hogl, Maximilian ✓

Appl no.: 10/613,661 ✓ EXAMINER: Fred G. Prince ✓

Filed: July 7, 2003 ✓ Group No.: 1724 ✓

For: PROCESS FOR TREATING INDUSTRIAL AND MUNICIPAL WASTE WATER  
 HIGHLY LOADED WITH AMMONIUM

Attorney Docket No. P-986A

MAIL STOP PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

May 12, 2004

Sir: Kindly acknowledge receipt of the below identified:

AMENDMENT TRANSMITTAL

AMENDMENT with TERMINAL DISCLAIMER

CHECK IN PAYMENT OF FILING TERMINAL DISCLAIMER (\$110.00)

In re appl of: MAXIMILIAN HOGL ✓

Appl. No.: 10/613,661 ✓ Group No. 1724 ✓

Filed: July 7, 2003 ✓ Examiner: Fred G. Prince ✓

Title: PROCESS FOR TREATING INDUSTRIAL AND MUNICIPAL WASTE  
 WATER HIGHLY LOADED WITH AMMONIUM

Attorney Docket No.: P-986A ✓

Respectfully Submitted,  
 LYNCH, COX, GILMAN & MAHAN, P.S.C

Scott R. Cox  
 Reg. No. 31,945

(Ref. 96-11/03 Feb. 605)

FORM 9-19

9-139

Practitioner's Docket No. P-986A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hogl, MaximilianApplication No.: 10 / 613,661 / Group No.: 1724Filed: July 7, 2003Examiner: Fred G. PrinceFor: PROCESS FOR TREATING INDUSTRIAL AND MUNICIPAL WASTE  
WATER HIGHLY LOADED WITH AMMONIUMCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL

**WARNING:** Failure to file a complete response in compliance with § 1.135(c) leads to a reduction in patent term adjustment — See § 1.704(c)(7).

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is

- ☐ a small entity. A statement:  
☐ is attached.  
☐ was already filed.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: May 12, 2004Signature: Holly HartHolly Hart

(type or print name of person certifying)

\* Only the date of filing (§ 1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment Transmittal [9-19]—page 1 of 4)

☒ other than a small entity.

### EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

NOTE: 37 C.F.R. § 1.704(b) ". . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

| Extension<br>(months)                 | Fee for other than<br>small entity | Fee for<br>small entity |
|---------------------------------------|------------------------------------|-------------------------|
| <input type="checkbox"/> one month    | \$ 110.00                          | \$ 55.00                |
| <input type="checkbox"/> two months   | \$ 420.00                          | \$ 210.00               |
| <input type="checkbox"/> three months | \$ 950.00                          | \$ 475.00               |
| <input type="checkbox"/> four months  | \$ 1,480.00                        | \$ 740.00               |

Fee: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this is a conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal [9-19]—page 2 of 4)

(Rev. 11/03 Pub. 605)

FORM 9-19

9-141

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1)                                                           |    | (Col. 2)                             |    | (Col. 3)         | SMALL ENTITY        |               | OTHER THAN A<br>SMALL ENTITY |                           |
|--------------------------------------------------------------------|----|--------------------------------------|----|------------------|---------------------|---------------|------------------------------|---------------------------|
| CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT                          |    | HIGHEST NO<br>PREVIOUSLY<br>PAID FOR |    | PRESENT<br>EXTRA | RATE                | ADDIT.<br>FEE | OR                           | ADDIT.<br>FEE             |
| TOTAL                                                              | 27 | MINUS                                | 32 | =                | x\$9 =              | \$            |                              | x\$18 = \$                |
| INDEP.                                                             | 1  | MINUS                                | 3  | =                | x\$43 =             | \$            |                              | x\$86 = \$                |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |    |                                      |    |                  | + \$145 =           | \$            |                              | + \$290 = \$              |
|                                                                    |    |                                      |    |                  | TOTAL<br>ADDIT. FEE | \$            | OR                           | TOTAL<br>ADDIT.<br>FEE \$ |

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$ \_\_\_\_\_**FEE PAYMENT**☒ Attached is a ☒ check ☐ money order in the amount of \$ 110.00- for Terminal Disclaimers☒ Authorization is hereby made to charge ~~the account~~ \$110.00☐ to Deposit Account No. \_\_\_\_\_☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.**WARNING:** Credit card information should not be included on this form as it may become public.☐ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

(Amendment Transmittal [9-19]—page 3 of 4)

**FEE DEFICIENCY**

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked: See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account  
No. 03-3420

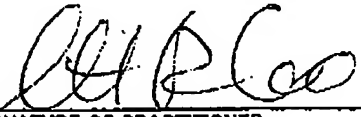
**AND/OR**

- ☒ If any additional fee for claims is required, charge Account  
No. 03-3420

Reg. No.: 31,945

Tel. No.: ( 502 ) 589-4215

Customer No.:

  
SIGNATURE OF PRACTITIONER

Scott R. Cox  
(type or print name of practitioner)

400 West Market St., Ste. 2200  
P.O. Address

Louisville, Kentucky 40202

(Amendment Transmittal [9-19]—page 4 of 4)

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OCT 14 2004

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

In re application of: :  
Hogl, Maximilian :  
Serial No. 10/613,661 :  
Filing Date: July 7, 2003 : Group No. 1724  
Attorney Docket No. P-986A : Examiner: Fred G. Prince  
For: PROCESS FOR TREATING :  
INDUSTRIAL AND MUNICIPAL WASTE :  
WATER HIGHLY LOADED WITH :  
AMMONIUM :

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

This is an Amendment to the Office Action of the United States Patent and Trademark Office dated March 26, 2004.